



Case report

Women convicted of a sexual offence, including child pornography production: Two case reports



S. Prat, MD Psychiatrist, Forensic Pathologist^{a,b,c,*}, I. Bertsch, MS Psychologist^{c,d},
L. Chudzik, PhD Psychologist^c, Ch. Réveillère, PhD Psychologist^c

^a Forensic Psychiatry Department, St Joseph's Healthcare, Hamilton, Canada

^b Department of Psychiatry and Behavioural Neurosciences, McMaster University, Hamilton, Canada

^c E.A. 2114, Psychologie des âges de la vie, Université François Rabelais de Tours, France

^d Centre de Ressource pour les Auteurs de Violences Sexuelles, CHRU de Tours, France

ARTICLE INFO

Article history:

Received 25 September 2012

Received in revised form

18 November 2013

Accepted 19 January 2014

Available online 28 January 2014

Keywords:

Forensic medicine

Forensic psychiatry

Child pornography

Female sexual offender

Child abuse

ABSTRACT

All available studies addressing the clinical and legal aspects of child pornography have systematically concerned male abusers. The social lens through which women are viewed tends to play down their responsibility in the sexual abuse of children. Unlike men, women rarely abuse children outside the close or family circle. Furthermore, they have frequently been abused themselves in their childhood. To our knowledge, no cases of women charged with sex-related offences, including child pornography, have been described in the literature. The psychopathological characteristics of female sexual abusers and of the two women in our cases tend to suggest that the deliberate downloading of child pornography images by women is unusual, as their deviant behaviour is not related to paedophile sexual arousal. It is hypothesized that the act enables women perpetrators to satisfy the sexual urges of their spouse. Sexual abuse by women exists, but the nature of the abuse appears to be specific to the gender of the perpetrator. We present two cases of women charged with sexual offences concerning minors, including the production of child pornography material.

© 2014 Elsevier Ltd and Faculty of Forensic and Legal Medicine. All rights reserved.

1. Introduction

Child pornography is used by people to satisfy a deviant sexual fantasy. Child pornographers can be divided into three groups: those who download images without carrying out an actual offence (hands-off child pornographers); those who use child pornography as a way of meeting children for sex (online sex offenders); and those who film their abuse, possibly (but not always) for subsequent dissemination.^{1,2} An abuser need not fit into a specific category, they can show characteristics of all three categories. All of the studies that address the clinical and legal aspects of child pornography have focused on male abusers.^{1,3} This may be due to the fact that it is rare for women to be charged with child pornography offences. Unfortunately no contextual data is available to know the rate in comparison with men. We present two cases of women charged with sexual offences concerning minors, including the production of child pornography material. These two cases come from a

forensic psychiatry assessment database. Thus, the authors were not directly involved in the administration of both of these assessments. Therefore, more detailed psychological profiles were not available and all the information described below came from the assessment database reports.

2. Cases reports

2.1. Case no. 1

A 65-year-old woman was charged with the corruption of minors and possession of child pornography images. She was a well educated individual who was employed as a child welfare worker. Her husband, with whom she committed the offences, worked in education. The charge concerned a single victim, an adolescent who the couple looked after on weekends. The abuse occurred over a period of several years and involved taking photos of the young girl naked in the bath and being caressed by the husband. These events regularly occurred in the presence of the woman. The couple had apparently not had sex for several years due to the husband's impotence. During the psychiatric and psychological assessment, no clear pathological element emerged. The woman presented as

* Corresponding author. Forensic Psychiatry Department, St Joseph's Healthcare, West 5th Campus, 100 West 5th Street, Hamilton, Canada. Tel.: +1 905 388 2511; fax: +1 905 381 5606.

E-mail address: sebastienprat@hotmail.fr (S. Prat).

being naïve, stressing the courts' lack of understanding. She described herself and her husband as people who helped others. She argued that the photographs were taken for artistic purposes, and that the young girl had asked to be photographed. She stressed that she had given this young girl an education, notably with regard to sexuality. She idealized her husband, and did not mention at all being coerced by him to perform the crime. She did not mention any kind of sexual abuse in her past. The Rorschach personality test detected no particular abnormality.

2.2. Case no. 2

A 40-year-old woman was charged with the corruption of a minor, rape, being an accomplice to rape, and possessing pornographic images. She presented with a mild learning disorder. Her intellectual capacities were limited but her reasoning and judgement abilities appeared normal. The events with which she was charged occurred in the presence of her spouse. Three victims were involved – her preadolescent daughter and two teenage sons. The events consisted of sexual acts involving this woman, her spouse and her three children concomitantly. They involved incestuous, hetero- and homo-sexual and occasionally zoophilic acts. The psychiatric assessment revealed evidence of emotional and educational deprivation during her childhood. She showed a certain suggestibility. However she showed dependency on her companion who had initiated her into his fantasies. She engaged in those acts so her husband would remain interested in her. She had difficulty recognizing the taboo nature of the offences with which she was charged. She did not mention any kind of coercion produced by her husband. She did not mention any kind of sexual abuse in her past.

3. Discussion

The social lens with which women are viewed tends to play down their responsibility in the sexual abuse of children. According to this view, the sexual abuse of children is essentially perpetrated by men, women being incapable of abusing a child.^{4–6} Some people consider that sexual abuse by women is more acceptable,⁶ or that violence towards children by women does not usually cause any injury.⁴ Similarly, when the abuse involves a couple, it is generally supposed that the woman has been forced into the abuse by the man.⁴ In fact, these views are not supported by the literature on the subject. Sexual abuse by women exists, but the nature of the abuse appears to be specific to the gender of the perpetrator.

3.1. Demographic data

While evidence sometimes conflicts, it seems that women who sexually abuse children generally have low education and socio-economic levels.^{4,7} They are generally aged between 20 and 35.^{4,6,7} These characteristics are found in case no. 2, although the woman was slightly older than the typically observed age. However, some evidence suggests that there is a broader age range^{8–10} and that younger or older subjects go unnoticed.⁴ In case no. 1, the demographic profile of the woman is the opposite; she is much older and has a high socio-economic level. Bader et al. found differences depending on the cohorts involved, and their study aimed to show the difference between samples taken from the legal system and those from child protection departments.¹¹ It is possible that high education and socio-economic levels protect perpetrators from being charged. These women probably have more resources, notably in terms of making the victim comply with their acts, making them less likely to be reported.

3.2. Relationship with the victims

Unlike men, women rarely abuse children outside the close or family circle.^{7,10} Their victims may be both male and female, whereas men generally always abuse children of the same sex.⁷ It seems that women sexual offenders are not aroused by sexual fantasies, but more by a sensation of power or the ability to coerce their victims into specific acts.⁷ Women often have a close relationship with their victims, who are sometimes their own children, or children who they look after.^{4,6,7} There is thus very often an emotional bond between the abuser and her victim.⁷ Graystone et al. observed that in more than half of their cases, the abuse was perpetrated by the mother or step-mother.⁷ This close relationship between perpetrator and victims existed in both cases presented here. Moreover, the predatory phenomenon described for male sex offenders is not found among women.¹² The abuse can be seen as opportunistic, as the woman does not initiate a particular type of contact to satisfy a deviant fantasy.

3.3. Participation in the assault

Vandiver et al. proposed a classification of the different types of abuse perpetrated by women.¹⁰ Five or six types are of particular interest to us because they can involve child abuse. One interesting point concerns the active or passive role of the woman during the abuse. The attacks are often made with a male co-perpetrator, usually the spouse.¹⁰ The woman can thus play an active role and participate physically. She can also have a passive role, witnessing the attack without interrupting it. In case no. 1, the woman had both an active role, taking part in the assault, and a passive role, taking photographs of the abuse. While in case no. 2, the woman had an active role. In general, the sexual abuse of underage children occurs without physical constraint, in contrast to attacks against adults. One theory of men's motivation to carry out paedophile attacks is a search for sexual arousal but also emotional recognition by the victim.¹³ Women show these same characteristics, often using methods of persuasion, and stressing the educational aspect of the assault.^{4,6,7} Men who use child pornography seem to use coercion less than paedophiles who do not use this type of material; the images are used to persuade the victim to accept physical contact. However, men tend to use more violent means of coercion when persuasive methods fail,¹⁴ which does not seem to be the case for women. In our two cases, no physical coercive violence appears to have been used, although men were involved. It is interesting to see that a study on recidivism of sex offenders finds women having a very low rate compared to the men.¹⁵

3.4. Psychopathological aspects

Female abusers frequently experienced physical, psychological or sexual abuse during childhood or adolescence.^{4,6,7} However, it seems that the length of time over which the abuse occurred is more important than the abuse itself.¹⁶ Personality disorders and depression are frequently found.⁷ In some cases, the women have impaired cognitive abilities, generally due to learning disorders, and poor social skills,⁷ as in case no. 2. Their emotional relationships are often very limited, and they have little contact with their peers. Their marital relationships are often limited,⁷ as in case no. 1, in which the abuse started when the husband became impotent and the couple could no longer have sex. Like paedophile men, female perpetrators of child sexual abuse often show cognitive distortions, giving inappropriate justifications for their actions, for example that sexual education is in the child's interest,⁷ as in case no. 1, or showing a lack of awareness of the taboo, as in case no. 2.

Tardif et al. provided a number of elements to explain this deviance. These women often grew up in a disturbed family background, preventing them from acquiring a stable and coherent maternal identity. The pathological relationship with their spouse is another important factor. They often show poor self-esteem, related to emotional deprivation during childhood.¹⁷ This lack of self-esteem corresponds clearly to a difficulty forming stable peer relationships.

3.5. Motivation for the assault

Often the aim of this type of assault is not direct gratification. It does not involve a search for arousal related to a paedophile fantasy,⁷ as is the case for men. The act enables women perpetrators to remain desirable and thus satisfy the sexual urges of their spouse, even if they are perverted or deviant. Tardif et al. interpreted this as a process of substitution for a satisfying intimate relationship, to avoid a psychological crisis.¹⁷ Both our cases concerned the desire of the spouse. In case no. 2, the woman stated that she did not initially go along with what her partner wanted. In case no. 1, the woman never questioned what her husband wanted, and her total acceptance of her husband's paedophile fantasies allowed her to deny the deviant nature of the events, in spite of the fact that she had worked for many years in child welfare. Tardif et al.'s concept of "psychological survival" could explain the attitude of this woman¹⁷; the young victim served as a mediating sexual tool between the woman and her husband, compensating for their lack of sexual relations. In case no. 1, it was undoubtedly the husband who asked the woman to take photographs. However, for the woman, it could also have been a way of immortalizing an intimacy which could not exist without the victim.

3.6. The use of child pornography in the deviant sexual process of women

In both our cases, it is not clear for what use the images were intended. We do not know whether they were looked at by the couple, or with the victims during another assault. They did not manifest the need to see it for their own gratification. The artistic aspect was stressed by the woman in case no. 1, but in an attempt to rationalize the event. Unlike men, women in a pathological relationship who produce pornographic images of children do not do so as a means of peer gratification by sharing images on the Internet.¹⁸ For example, the two women in our cases did not download paedophile images; the assault and photographing of the event remained within the relationship with their spouse. In both cases, the photographs were taken at the spouse's behest, but could have served the need for gratification in relation to the spouse as part of a perverted process aimed at fixing a non-existing relationship on an image.

In many countries, including France, the laws on child pornography do not differentiate between downloading, dissemination and production of images. The sentences are the same. In some cases, notably those involving the production of paedophile material as here, there may also be sexual assault. Different child pornography consumers profiles have been described in the literature, showing the complexity of the psychopathology. Some child pornography consumers are clearly paedophiles but have not always the will to assault a minor. Some child pornography consumers have no specific paedophilic fantasies, and download those images for libertarian reasons.^{19,20} Due to the lack of legal distinction, there is also no possibility of making a psychopathological distinction. We know that the use of child pornography by men has clearly distinct characteristics in different situations, and we can

see here that women use pornography in a different way again from that of men.

To our knowledge, no cases of women charged with sex-related offences, including child pornography, have been described in the literature. The psychopathological characteristics of female sexual abusers and of the two women in our cases tend to suggest that the deliberate downloading of child pornography images by women is unusual, as their deviant behaviour is not related to paedophile sexual arousal. However, this is not to say that it does not happen, particularly as women generally take more precautions than men.

Ethical approval

The authors have respected the WMA Declaration of Helsinki.

Funding

None.

Conflict of interest

None declared.

Acknowledgements

The authors thank Harkiran Kaur Kalkat from McMaster University Health Sciences (Hamilton, Canada) and Katrina Messina and Miles LaPenotiere from St Joseph's Healthcare Forensic Psychiatry Department (Hamilton, Canada) for their advices.

References

- Burke A, Sowerbutts S, Blundell B, Sherry M. Child pornography and the internet: policing and treatment issues. *Psychiatry Psychol Law* 2002;**9**:79–84.
- Babchishin KM, Karl Hanson R, Hermann CA. The characteristics of online sex offenders: a meta-analysis. *Sex Abuse* 2010;**23**:92–123.
- Wolak J, Finkelhor D, Mitchell K. Child pornography possessors: trends in offender and case characteristics. *Sex Abuse* 2011;**23**:22–42.
- Gannon TA, Rose MR. Female child sexual offenders: towards integrating theory and practice. *Aggress Violent Behav* 2008;**13**:442–61.
- Hetherington J. The idealization of women: its role in the minimization of child sexual abuse by females. *Child Abuse Negl* 1999;**23**:161–74.
- Tsopelas C, Spyridoula T, Athanasios D. Review on female sexual offenders: findings about profile and personality. *Int J Law Psychiatry* 2011;**34**:122–6.
- Grayston AD, De Luca RV. Female perpetrators of child sexual abuse. *Aggress Violent Behav* 1999;**4**:93–106.
- Johansson-Love J, Fremouw W. A critique of the female sexual perpetrator research. *Aggress Violent Behav* 2006;**11**:12–26.
- Sandler JC, Freeman NJ. Typology of female sex offenders: a test of Vandiver and Kercher. *Sex Abuse* 2007;**19**:73–89.
- Vandiver DM, Kercher G. Offender and victim characteristics of registered female sexual offenders in Texas: a proposed typology of female sexual offenders. *Sex Abuse* 2004;**16**:121–37.
- Bader SM, Scalora MJ, Casady TK, Black S. Female sexual abuse and criminal justice intervention: a comparison of child protective service and criminal justice samples. *Child Abuse Negl* 2008;**32**:111–9.
- Jaffe ME, Sharma KK. Cybersex with minors: forensic implications. *J Forensic Sci* 2001;**46**:1397–402.
- Finkelhor D, editor. *Child sexual abuse: new theory and research*. New York: Free Press; 1984. p. 260.
- Tyler RP, Stone LE. Child pornography: perpetuating the sexual victimization of children. *Child Abuse Negl* 1985;**9**:313–8.
- Cortoni F, Hanson RK, Coache M-È. The recidivism rates of female sexual offenders are low: a meta-analysis. *Sex Abuse* 2010;**22**:387–401.
- Christopher K, Lutz-Zois CJ, Reinhardt AR. Female sexual-offenders: personality pathology as a mediator of the relationship between childhood sexual abuse history and sexual abuse perpetration against others. *Child Abuse Negl* 2007;**31**:871–83.
- Tardif M, Auclair N, Jacob M, Carpentier J. Sexual abuse perpetrated by adult and juvenile females: an ultimate attempt to resolve a conflict associated with maternal identity. *Child Abuse Negl* 2005;**29**:153–67.
- Taylor M, Quayle E, Holland G. Typology of paedophile picture collections. *Police J* 2001;**74**:97–107.
- Prat S, Jonas C. Characteristics of French users of child pornography: description of a cohort subjected to forensic evaluation. *Med Leg J* 2012;**80**:162–6.
- Prat S, Jonas C. Psychopathological characteristics of child pornographers and their victims: a literature review. *Med Sci Law* 2013;**53**:6–11.